

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUCAS J. LACY,

Defendant.

8:23CR20

ORDER

This matter came before the Court on September 7, 2023, for a hearing on the Defendant's oral motion for a pretrial conference pursuant to Federal Rule of Criminal Procedure 17.1. The Government was represented by Donald Kleine and Sean Lynch, Assistant United States Attorneys, and Defendant, Lucas Lacy, was represented by Peder Bartling. During the hearing Defendant's attorney made an oral motion to continue the trial date. Defendant's attorney needs more time to review the digital evidence and consult with an expert. The government had no objection to the motion. Based on the statements made by counsel at the hearing the court found that the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's oral motion to continue is granted.
- 2) The trial of this case is continued pending further order of the court.
- 3) A telephonic status conference with counsel will be held before the undersigned magistrate judge at 11:00 a.m. on January 31, 2024. Counsel for the parties shall use the conferencing instructions provided by the court to participate in the call.
- 4) In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 31, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and failing to grant additional time might result in a

miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 7th day of September, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge